IN THE HIGH COURT OF BOMBAY AT GOA

CONTEMPT PETITION NO. 8 OF 2005

MR.CASSIAN CRASTO,GOA VELHA,TISWADI GOA ....Petitioners

Versus

MR.RAJENDRA ARLEKAR AND 2 ORS., ...Respondents

Petitioner in person.

Coram:- R. M. LODHA, J.

Date:- 26th August, 2005

P.C.

Heard Cassian Crasto, the petitioner in person.

By this Criminal Contempt Petition the petitioner contends that the Appeal issued by the Bharatiya Janata Party, Goa to the effect that the judgment passed by Justice Nelson Britto, requires to be corrected by the Appellate Court, as published in the newspaper "Herald" of its edition dated May 28, 2005, amounts to criminal contempt, under Section 2(b) of the Contempt of Courts Act 1971. Having considered the said appeal, I do not find that the appeal amounts to scandalizing the Court, or tends to scandalize the Court. If the Judgment and Order passed by the learned Judge in the opinion of the parties is wrong, it is always open to them to challenge the same and urge that such Judgment and Order needs to be corrected by the Appellate Court. Such statement does not amount to criminal contempt within the meaning of Section 2(b) of the Contempt of Courts Act, 1971 and no cognizance deserves to be taken of such matter in criminal contempt jurisdiction.

The Contempt Petition is dismissed.

R. M. LODHA, J.